

EAST PALESTINE VILLAGE COUNCIL DECEMBER 10, 2012 - COMMUNITY CENTER 7PM

Mayor Zuch called the meeting to order. Present were Atty. Beagle, Mr. Cohen, Mr. Elzer, Mr. Figley, Mr. Tyger and Mrs. Wisser. The minutes from the November 26 Finance Committee meeting and regular Council meeting were approved on a motion by Mr. Elzer, seconded by Mr. Cohen. The monthly department reports for November were approved on a motion by Mr. Elzer, seconded by Mr. Tyger. Mr. Elzer thanked Village Manager Monteleone and John Jurjavic for the water report.

AGENDA: Noah Tancer to discuss an Eagle Scout project. Mr. Tancer explained his proposed Eagle Scout project was to make improvements on the trail at City Lake. He wants to add two more benches and a picnic area. He plans on clearing back the brush approximately 10 feet to prevent over growth and litter getting stuck. He also plans on cutting down dead trees along the trail and also putting in flowerbeds and clear out the weeds. Mr. Cohen and Mayor Zuch stated that is a very ambitious project. Mr. Cohen asked when he would be starting and Mr. Tancer said depending on the weather, possibly January. Mrs. Wisser asked when the project had to be completed and Mr. Tancer said there is no specific deadline. Mr. Elzer asked how long the section of trail is he would be working on and Mr. Tancers father in the audience said it was about ¼ of a mile. Mr. Elzer asked what we could do to help. Mr. Tancer said maybe the city could help with supplies or tools, or wood to repair some of the benches. Mayor Zuch asked if he had someone knowledgeable to work with him and Mr. Tancer said his father would be, that he has worked with landscapers and currently has a tree service. Mr. Figley said it is a good idea. Mayor Zuch said there have been a lot of projects done in the city involving Eagle Scouts, and if he needs anything to stop at the office and talk to Manager Monteleone. Mr. Cohen said he didn't want him to think he had to work when the weather is bad. Mr. Figley said there would be an advantage to doing some of the work in the winter. Mr. Tancers father said it would be, cutting back the brush would be easier because the briars wouldn't be as bad, and it would be easier to see what is dead or alive.

CLERK: NO REPORT

MAYOR: Mayor Zuch read an article about our reporter Katie Schwendemen from the Morning Journal. She was named to the Ohio School Boards Association 2012 Media Honor roll. Mayor Zuch stated the Katie was going to put another notice in the County Briefing section of the paper in reference to applications for the Library Board position. We would like to make that appointment at the next council meeting. Mayor Zuch stated that when she hears how many fires or accidents we have had lately and how busy they are, she thanked the residents again for passing the levies and we can see the differences in those departments.

MANAGER: Village Manager Monteleone thanked the Water Department and everyone who was out working on the water break Sunday from 9 am to 6pm. It's great that the guys will come out at the drop of a hat when needed. Monteleone stated that they completed the water line project to the ball fields. There is a very small section that couldn't be done because the ground is too soft, but as soon as it freezes it will be completed. Atty. Beagle asked what we could do to move the gas leasing along. Monteleone stated that he has called again and calls at least once a week, they advise that it is before the drillers and are optimistic. Mr. Cohen asked if we had even gotten a number from them, and Monteleone said that's what we are waiting for. Atty. Beagle stated that so many individuals and municipalities have already signed and she is afraid we will be left out. Mr. Figley said we are not going to get left out, that all of the programs are about a year and a half behind. Mr. Figley said they don't know how long Salem had been working on theirs. Mr. Cohen said they authorized their law director in March to begin negotiations with Chesapeake, got a contract in July and received a check the last week in October for 1.3 million dollars. Monteleone said looking at it that way, we turned everything over to Buckeye about 3 months ago so we are around the same time frame as Salem. Mr. Figley said they did have a tentative number and recently he said it might go higher. Mr. Cohen asked who said it might go higher and Mr. Figley said the gentleman from Buckeye Mineral. Mr. Figley said Mr. Cohen was welcome to get in on it and Monteleone said at this point there is nothing that can be done. Mr. Cohen said his concern is the same as Atty. Beagle that we are going to get left out, and Mr. Figley said we are not going to get left out. Mr. Figley asked what Salem got and Atty. Smith stated they got \$3500 an acre. Mr. Figley said it is being worked on and Monteleone is doing a good job. Mr. Cohen said he's not faulting Monteleone. Monteleone said the big thing in these negotiations is whether they take all of your acreage because they don't have too, and as of now they have not kicked out any of ours. Atty Smith stated Salem had approximately 1100 acres and they only signed approximately 300 to 400 of those acres. Monteleone said our numbers were between \$5200 and \$5800 per acre with 18 to 20 % royalties. Monteleone said one of the reasons its taking so long is they are very restrictive with their language to our benefit. Atty. Beagle clarified that they are not "picking" on anyone; she just wants to know where we stand. Mr. Cohen said he gets asked on a daily basis about it. Mr. Elzer said that we need to remember we are at the beginning of this industry, we are not going to be left behind, we have too much acreage and that we are better off waiting. The beginning numbers were around \$500 per acre, now they are around \$6000 per acre. Monteleone said that the other aspect is that there is the possibility of leasing in layers, there other valuable minerals there and his goal is to get the lease now, and then possible leasing again for other layers. Atty Smith said that when they were working with BP and they mapped the city, they found and additional 15 to 20 acres. She said primarily the focus is on the queenston and below so the shallow rights can be maintained. Atty. Beagle asked if that's how it usually is, and Atty. Smith said not necessarily. That some leases are truly "from the top of the ground to the center of the earth".

LAW DIRECTOR: NO REPORT

STREET: NO REPORT

SAFETY/PARK/RECREATION/ CEMETERY: Mr. Cohen stated he attended a Library Board meeting and it was very nice. Atty. Beagle said the Police and Fire Departments have been very busy lately.

DEVELOPMENT: Mr. Elzer stated the Chamber along with the Development Committee is going to do a push for the dining facilities in town. They have already put up a few new signs.

UTILITY: Mrs. Wisser stated that Manger Monteleone mentioned the SCADA system in his report. She asked John Jurjavic if that was the system where if something went wrong with any pumps in the system he could look at a specific panel and see exactly where the problem was. Jurjavic said yes. She asked if that cost was included in the Wheathill project, and Jurjavic said they are hoping it will.

FINANCE: NO REPORT

VISITORS: Charlie Hutchens, Dianna Elzer, Chief Kevin Dickey, Dan Scott, Jerry Coblenz, Chuck Treece, Jim Mackall, Chuck McGuire, Katie Schwendeman, Jim Williams, John Jurjavic, John & Bonnie Davis, Scott Wolfe, Emery Coon, Shirley Wilson, Brent Wilson, Brock Jurjavic, Larry & Terri Ward, Tami & Bob Harris, Kerri Stewart, Noah Tancer, (and two others who didn't sign in).

At this point, Mayor Zuch gave a brief summary of tonight's legislation. The first ordinance was the 3rd reading for the 2013 budget and it will be passed as an emergency, and the second ordinance is a letter of understanding between the FOP and the Village for contract negotiations that occurred in November, and this will also be passed as an emergency so it will go into effect Jan 2013. There were no comments on current legislation.

LEGISLATION: Atty Beagle introduced **Ord. 25-2012** and made a motion that it be read by title only, seconded by Mr. Tyger. **An ordinance adopting the appropriation for the current expenses and other expenditures of the Village of East Palestine, Ohio, during the fiscal year beginning January 1, 2013 and adopting estimated resources, and declaring an emergency.** Atty. Beagle made a motion to suspend the rules and declare an emergency. All in favor. Atty. Beagle called for a vote on **Ord. 25-2012**. Atty. Beagle-Y, Mr. Elzer-Y, Mr. Cohen-Y, Mr. Figley-Y, Mr. Tyger-Y, Mrs. Wisser-Y. All in favor, motion carried. Atty. Beagle introduced **Ord. 27-2012** and made a motion that it be read by title only, seconded by Mr. Tyger. **An ordinance adopting the letter of understanding between the Village of East Palestine ("Employer") and the Fraternal Order of Police, Ohio Labor Council, Inc. ("Union"), and declaring an emergency.** Atty. Beagle made a motion to suspend the rules and declare an emergency, seconded by Mr. Tyger. All in favor. Atty. Beagle called for a vote on **Ord. 27-2012**. Atty. Beagle-Y, Mr. Elzer-Y, Mr. Figley-Y, Mr. Cohen-Y, Mr. Tyger-Y, Mrs. Wisser-Y. Motion carried.

ADJOURN: Mr. Elzer made a motion to adjourn, seconded by Mr. Tyger. All in favor, meeting adjourned.

MAYOR MARGO ZUCH

MISTI J. MARTIN -CLERK